



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2308101
Applicant Name : Randy Spaan
Address of Proposal: 1115 23rd Avenue South

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into three unit lots. Proposed lot sizes are: Unit Lot A) 1,703 square feet, Unit Lot B) 1,111 square feet; and Unit Lot C) 1,215 square feet. The construction of three townhouse units has been approved on the site.

The following approval is required:

Short Subdivision - to create three unit lots.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 4,030-square foot site is located on a 16-foot wide alley within a block bounded by South Norman Street to the north and South Judkins Street to the south. The alley is also known as 22nd Avenue South. A six-foot wide pedestrian access easement connects the site with 23rd Avenue South. A construction permit has been approved to allow construction of a three-unit townhouse structure with accessory parking on the site (Project #2205603).

The subject property is zoned Residential, Multifamily, Lowrise 2 (L2). The site is not located in any mapped or observed environmentally critical area (ECA).

Development in the area primarily consists of single-family residential structures. Judkins Park and Playfield is located west of the site across the alley known as 22nd Avenue South. There is also some multi-family development in the area.

Property immediately to the north, south, and east of the subject site is zoned Residential, Multifamily, Lowrise 2 (L2); property to the west (the site of Judkins Park and Playfield) is zoned Residential, Multifamily, Lowrise 1 (L1).

Proposal Description

The proposal is to subdivide one parcel (the “parent lot”) into three unit lots with vehicular access provided directly onto an improved 16-foot wide alley. A recent construction permit approved the construction of a multi-family structure with three townhouse units (Project #2205603). Parking for each of the three unit lots would be located on the respective lot. The subject of this analysis and decision is only the proposed subdivision of land.

Public Comments

The comment period for this proposal ended on March 31, 2004. No comments were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless specific criteria are met. Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for multi-family residential use. The lots to be created by this unit subdivision might not individually meet all of the standards of SMC Chapter 23.45 for Lowrise 2 zones including setbacks, density, and structure width and depth. Any future proposed construction must ensure that the development meets applicable standards when considered as a whole.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

All three unit lots would have vehicular access to South Norman Street or South Judkins Street via an existing alley that is also known as 22nd Avenue South. In addition, an easement for pedestrian access extends from proposed Unit Lot A to 23rd Avenue South.

Pedestrian access to each of the three unit lots is available directly from the alley (22nd Avenue South). However, because the parent lot was addressed on 23rd Avenue South, each of the unit lots should also have access to 23rd Avenue South. Therefore, a pedestrian access easement at least 44 inches wide should be provided along the north

edge of proposed Unit Lot A. The easement should allow pedestrian access for Unit Lots B and C to the existing six-foot wide pedestrian access easement that connects the site to 23rd Avenue South.

All private utilities are available in this area. Seattle City Light would provide electrical service to the proposed unit lot subdivision. After reviewing the proposal, City Light requires an easement to provide electrical facilities and service to the proposed unit lots (Easement "A" – P.M. #240404-3-014).

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision design. An emergency pedestrian egress easement should be provided from proposed Unit Lot B's open space area to either the existing six-foot wide pedestrian easement connecting the site to 23rd Avenue South or directly to 23rd Avenue South.

Provision for address signage visible from 23rd Avenue South should be made for proposed Unit Lots A, B, and C.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities, and Water Availability Certificate #2004-0283 was issued on March 19, 2004.

The nearest public sewer to which the property currently has access is an 8-inch public sanitary sewer located 250 feet to the south in the South Judkins Street right-of-way. This area has been separated with the construction of a 12-inch diameter public storm drain (PSD) in South Judkins Street. This mainline discharge to a Designated Receiving Water.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision is consistent with minimum Land Use Code provisions. The development would have adequate access for vehicles, utilities, and fire protection and would have adequate drainage, water supply, and sanitary sewage disposal. Therefore, the public use and interests would be served by permitting the proposed unit lot subdivision of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas.*

This site is not located in a mapped or otherwise observed environmentally critical area as defined in SMC 25.09.240.

6. *Is designed to maximize the retention of existing trees.*

Under the related construction permit (Project #2205603), the applicant received approval to remove the existing trees and plant five new trees. The unit lot subdivision would not affect this approval.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. The construction of three townhouse units has been approved on the site; therefore, the site may be unit lot subdivided.

Consistent with SMC 23.24.045(C), additional development of the proposed unit lots may be limited. Subsequent platting actions or additions or modifications to the structure cannot create or increase any nonconformity of the parent lot. Consistent with SMC 23.24.045(D), access easements and joint use and maintenance agreements should be executed for shared walls on property lines, and driveway and pedestrian access.

The proposed short subdivision conforms to the provisions of SMC 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

This unit lot short subdivision would be provided with adequate vehicular and emergency access and with public and private utilities. Adequate provisions for water supply and sanitary sewage disposal would be provided for each lot, and service is assured subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording:

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat, and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. On the face of the plat, include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (Exhibit "A," Easement P.M. #240404-3-014) on the final documents.

4. On the face of the plat, provide easements or covenants to allow for the proper posting of address signage visible from 23rd Avenue South for all three proposed unit lots (Unit Lots A, B, and C).
5. On the face of the plat, provide a pedestrian access easement along the north edge of Unit Lot A to the existing 6-foot wide pedestrian access easement that connects the site to 23rd Avenue South. Said access easement must be the benefit of Unit Lots B and C.
6. On the face of the plat, provide an emergency egress easement from the east edge of Unit Lot B's open space area to either the existing six-foot wide pedestrian easement connecting the site to 23rd Avenue South or directly to 23rd Avenue South. Said emergency egress easement must be no less than 44 inches wide.

Signature: _____ (signature on file) Date: May 13, 2004
Leslie C. Clark, AICP
Land Use Planner

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